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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,543	06/14/2000	Stephen P. Forte	T7093.0004/P001	8081

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EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 04/11/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/593,543

Applicant(s)

FORTE, STEPHEN P.

Examiner

Quynh H Nguyen

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) 19-27, 29 and 44-51 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18, 28 and 30-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2-4</u> | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of a system and method of selectively establishing communication with one of plural devices associated with a single telephone number in Paper No. 8 is acknowledged. The traversal is on the ground(s) that a system and method of selectively establishing communication with one of plural devices associated with a single telephone number (claims 1-18, 28, and 30-43). This is not found persuasive because group I (claims 1-18, 28, and 30-43) drawn to a system and method of selectively establishing communication with one of plural devices associated with a single telephone number is provided, classified in class 379, subclass 201 and 211.02, while group II (claims 19-27, 29, 44-51) drawn to a method of operating a telephone call from a wireless telephone into a telecommunication network location having a single line telephone interface that connect to a wireless connect unit, classified in class 455, subclass 445, and that would require two separate searches.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8, 10-18, 28, and 30-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan et al. (U.S. Patent 5,329,578).

Art Unit: 2642

Regarding claim 1, Brennan teaches a receiving module receiving a telephone call (col. 9, lines 3-4); a processor (Fig. 1b, 22) identifying a dialed telephone number associated with the call, the processor route the call with special treatment/user preference depending on the shown CLID associated with the caller (Table 1.0); and Table 2.0, OTHER DEVICES column include the possible destinations such as message system and mail box; and depending on time of the day and day of the week, the processor route the call to at least one destination telephone number (Table 3.0).

Brennan does not teach the processor uses the dialed telephone number to retrieve a first telephone number and second telephone number. The embodiment discussed by Brennan is the call is routed based on the subscriber schedule, the call will be routed to different devices depending on time of the day and day of the week, therefore there is no need to retrieve a first telephone number and second telephone number.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to retrieve and route the dialed telephone number to plurality of devices that would allow the enhanced conveniences of today's communication, for example, a person may have a plurality of devices such as home telephone, office telephone, and a pager.

Regarding claims 2 and 31, Brennan teaches the system will "hunt" to the next location if the subscriber doesn't answer (col. 10, lines 7-22) reads on claimed "the processor routes the call to two destination telephone numbers simultaneously".

Regarding claims 3 and 32, Brennan teaches the processor routes the call to a voice mailbox telephone number after predetermined time as defined by at least one retrieved user preference (Table 4.0).

Art Unit: 2642

Regarding claims 4, 6, and 34, Brennan teaches the predetermined time corresponds to a number of telephone rings defined by the at least one retrieved user preference (col. 5, line 60 through col. 6, line 15).

Claims 5 and 33 are rejected for the same reasons as discussed above with respect to claims 1 and 2.

Claim 7 is rejected for the same reasons as discussed above with respect to claim 3. Furthermore, the call routes to the voice mailbox after the processor rings the second destination number more than the second ring count, this feature is well known in the art and the advantage of using this feature is also well known.

Regarding claims 8 and 35, Brennan teaches the possible destinations including pager, messaging system, or a private operator for completing the calls when a subscriber can't be reached. Brennan does not teach the processor routes the call to single destination telephone number corresponding to the voice mailbox telephone number. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the above mentioned feature into Brennan's system in order to have a better system.

Regarding claims 10 and 15, Brennan does not teach the processor receives the call from a private branch exchange or public switched telephone network, and at least one destination is associated with a private branch exchange. Both calls origination and termination could be in the same or different switch, the same switch is the preferred mentioned in claims 10 and 15.

Regarding claims 11, 12, and 36, Brennan teaches the call is routed to a cellular telephone, which can operate independently from the telecommunication device (Fig. 1a, 17 and mobile switch).

Art Unit: 2642

Regarding claims 13 and 37, Brennan teaches the call is routed to a destination associate with a pager (col. 10, lines 4-6).

Regarding claims 14 and 38, Brennan does not teach the call is routed to a destination associated with a personal digital assistant. It would have been obvious that a personal digital assistant is also one of the other devices.

Regarding claim 16, Brennan teaches the processor routes the call to a plurality of additional destination telephone numbers, wherein at least one additional destination telephone number is associated with a cellular telephone (Fig. 1a, 17).

Regarding claims 17 and 18, Brennan does not teach the processor is connected to a local area network or the Internet and at least one user preference is input via the local area network or Internet. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the above mentioned feature into Brennan's system in order to have a better system.

Claim 28 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Brennan teaches a connect unit (Fig. 1a, 11); first communication device at an extension of the communication network associated with the user (Fig. 1a, 15); second communication device to the user (Fig. 1a, 16).

Claims 30 and 39 are rejected for the same reasons as discussed above with respect to claim 28. Furthermore, Brennan teaches the subscriber's profile contained at the service node contains routing instruction, devices, and special treatment depending upon time of the day and day of the week caller makes the call reads on claimed "identifying a communication device number associated with the communication"; and machine-readable storage medium (Fig. 1b and

Art Unit: 2642

1c), and in these processors/medium, there would have been obvious machine-executable control program to perform various functions.

Claims 40-43 are rejected for the same reasons as discussed above with respect to claims 2, 3, 5, and 11.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan et al. (U.S. Patent 5,329,578) in view of Swan (U.S. Patent (5,978,451).

Regarding claim 9, Brennan does not teach the processor prompts a caller of the telephone call with a menu of call destination options and the processor places the call to at least one destination telephone number in accordance with an option selected by the caller.

Swan teaches a caller of the telephone call was prompted with a menu of call destination options and the call is routed to at least one destination telephone number in accordance with an option selected by the caller (col. 7, line 63 through col. 8, line 30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of prompting a caller of the telephone call with a menu of call destination options and route the call to at least one destination telephone number in accordance with an option selected by the caller, as taught by Swan, in Brennan's system in order to have a better system.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Akhavan (U.S. Patent 5,920,815) teaches personal phone number system. Nguyen (U.S. Patent 5,699,407) teaches method and system for implementing extension phone within a

Art Unit: 2642

cellular radio telecommunications network. Tam (U.S. Patent 5,526,403) teaches wireline interface for cellular telephone.

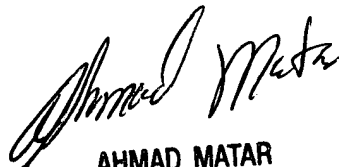
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
April 7, 2003


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
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